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Attorneys for Defendants
UBER TECHNOLOGIES, INC.;
RASIER, LLC; and RASIER-CA, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

ALL ACTIONS

Case No. 3:23-md-03084-CRB

**DECLARATION OF MARK PREMO-
HOPKINS**

Judge: Hon. Lisa J. Cisneros
Courtroom: G – 15th Floor

1 I, Mark Premo-Hopkins, declare as follows:

2 1. I am an attorney at Kirkland & Ellis L.L.P., counsel of record for Defendants Uber
3 Technologies, Inc., Raiser, LLC, and Raiser-CA, LLC (collectively, “Uber” or “Defendants”). Pursuant
4 to Local Civil Rules 6-3 and 37-1, I offer this Declaration in the above-captioned matter in support of
5 Uber’s Unopposed Motion to Shorten Time to Hearing on Motion for Enforcement of Protective Order.

6 2. In its Motion for Enforcement of Protective Order (the “Motion”), Uber raised credible
7 allegations that the Court’s Protective Order in this action had been violated by someone who provided
8 sealed Court documents to the *New York Times*.

9 3. Two weeks have passed since the Times article, but no person or organization has come
10 forward and confessed to accessing sealed Court records and violating the Court’s Protective Order.
11 Plaintiffs’ attorneys are now beginning to publish the sealed confidential information on their websites.
12 See, e.g., <https://federal-lawyer.com/injury-lawsuit/sex-abuse/uber/> (linking to *Times* Article). Uber
13 views any additional document productions it makes as being at significant risk of being disclosed to the
14 *Times* or other media.

15 4. Uber’s Motion requests that the Court order MDL Plaintiffs’ counsel to certify that (1) they
16 “contacted each employee, contractor, consultant or agent (including expert witnesses) working with”
17 them, “as well as any client who, based on a reasonable investigation, may have had access to the
18 compilation of sealed documents/exhibits” containing the protected material that was leaked; and (2) each
19 of those individuals confirmed “that they had not shared or in any way provided access, directly or
20 indirectly, to any of the documents referenced in” the article “to the New York Times or its agents, either
21 directly or indirectly.” ECF 3695-31 at 3.

22 5. The three MDL Plaintiffs’ leadership firms have agreed to provide a certification. But the
23 other 34 Plaintiffs’ firms with cases in the MDL have not, including some Plaintiffs’ firms that have
24 expressly refused to provide the requested certification.

25 6. Potential violations of the Court’s Protective Order have led to the leaking of confidential
26 business information. The longer these potential violations remain unaddressed, the greater the likelihood
27 they will have to prejudice jury pools against Uber in the upcoming bellwether trials.

1 7. Uber initiated a meet-and-confer process with MDL Plaintiffs' counsel in an effort to
2 obtain a stipulation with Plaintiffs regarding an earlier hearing date.

3 8. Counsel for Uber met and conferred via phone call with MDL Plaintiffs' counsel on August
4 21, 2025. Although MDL Plaintiffs' counsel stated that they would not stipulate to a new hearing date as
5 early as next week, they indicated that they would not oppose Uber's motion to expedite the hearing date
6 and would defer to the Court's schedule.

7 9. The next day, on August 22, 2025, Counsel for Uber provided MDL Plaintiff's counsel a
8 draft of its motion to expedite the hearing date. Attached as **Exhibit 1** is a true copy of my email, dated
9 August 22, 2025, to MDL Plaintiffs' leadership firms, and my follow-up email shortly after which attached
10 Uber's draft Motion to Shorten Time to Hearing on Motion for Enforcement of Protective Order.

11 10. In response to my emails, Plaintiffs' counsel represented their position as follows:
12 "Plaintiffs defer to the Court on the timing of the hearing, but respectfully request that the Court not
13 advance the due date for Plaintiffs' response to the motion, currently set for August 27." Attached as
14 **Exhibit 2** is a true copy of the email from Andrew Kaufman to me, dated August 22, 2025.

15 11. Attached as **Exhibit 3** is a true copy of a spreadsheet prepared by counsel for Uber
16 disclosing all previous time modifications in the case, whether by stipulation or Court order.

1 I declare under penalty of perjury under the laws of the State of California and the laws of the
2 United States of America that the foregoing is true and correct.

3 Dated: August 22, 2025

Respectfully submitted,

4
5 By: /s/ Mark Premo-Hopkins

Mark Premo-Hopkins (Admitted *Pro Hac*
Vice)

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